

Sec. 11, Art. 7. * * * "It is hereby declared that all lands and other property heretofore set apart and appropriated for the establishment and maintenance of the University of Texas, together with all the proceeds of sales of the same, heretofore made or hereafter to be made, and all grants, donations and appropriations that may hereafter be made by the State of Texas, or from any other source, shall constitute and become a permanent University fund."

Can language be plainer? It takes no trained legal mind to construe this provision. Contrary to this provision of our Constitution the Senate proposes to donate, give and appropriate seventy thousand dollars of the State's money to the available fund of the University for building purposes. I cannot accede to this violation of our organic law, as I understand it. I therefore vote "no."

DIBRELL.

Senator Beall moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Burns moved to adjourn to 3 p. m.

Senator Bailey moved to adjourn to 10 a. m. to-morrow.

Senator Harrison moved to adjourn to 10 a. m. Monday.

Lost by the following vote:

Yeas—8.

Atlee.	Lewis.
Boren.	Presler.
Burns.	Stone.
Harrison.	Wayland.

Nays—17.

Bailey.	Kerr.
Beall.	Linn of Victoria.
Bowser.	Linn of Wharton.
Colquitt.	Rogers.
Darwin.	Ross.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Woods.
Greer.	Yett.

Absent.

Neal.	Terrell.
Stafford.	Yantis.

Excused.

Morriss.

The Senate then adjourned to 10 a. m. to-morrow.

FORTY-FIRST DAY.

Senate Chamber,

Austin, Tex., Saturday, March 6.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Bailey.	Harrison.
Beall.	Lewis.
Boren.	Linn of Victoria.
Bowser.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Darwin.	Stafford.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Greer.	Woods.

Absent.

Atlee.	Stone.
Kerr.	Wayland.
Linn of Wharton.	Yantis.
Neal.	Yett.

Excused.

Morriss.

Prayer by Rev. Dr. Mitchell of Austin.

Pending the reading of the Journal of yesterday,

On motion of Senator Stafford, the same was dispensed with.

On motion of Senator Woods,

Senator Stone was excused for to-day and Monday, on account of important business.

On motion of Senator Woods,

Senator Yett was excused for to-day, on account of sickness.

On motion of Senator Woods,

Senator Yantis was excused for to-day, on account of important business.

On motion of Senator Colquitt,

Senator Kerr was excused for to-day, on account of important business.

On motion of Senator Stafford,

Senator Neal was excused for to-day, on account of important business.

On motion of Senator Stafford,

Senator Morriss was excused for yesterday and to-day, on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Turney:

Petition of stockmen, residents of Sutton county, Texas, protesting against the exemption of said county from the operation of the inspection laws of this State.

Read and referred to Committee on Stock and Stockraising.

By Senator Turney:

Petition of stockmen, residents of Schleicher county, protesting against the exemption of said county from the operation of the inspection laws of this State.

Read and referred to the Committee on Stock and Stockraising.

By Senator Linn of Wharton:

Petition and remonstrance of citizens of Goliad county, against restrictive medical legislation.

Read and referred to the Committee on Public Health.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 182, a bill to be entitled "An act to provide an additional method of preparing transcripts of the record in civil cases, on appeal or writ of error, and to have the same printed, and prescribing the method of preparing and printing the same, and prescribing the costs and fees to be charged and collected therefor."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Internal Improvements, to whom was referred

House bill No. 115, a bill to be entitled "An act to amend articles 744a and 744b of the Revised Civil Statutes of the State of Texas of 1895, relating to corporations for building union depots,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 29, a bill to be entitled "An act to prevent railroad companies from engaging in any business other than that provided for in their charters, and to prevent their

officers, agents or employes from competing with other citizens in the carriage of commodities or merchandise over the railroads with which they are connected."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 253, a bill to be entitled "An act to amend chapter 13, title XCIV, of the Revised Civil Statutes of the State of Texas, by adding articles 4568a and 4568b."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 27, a bill to be entitled "An act to amend an act entitled an act to authorize the incorporation of companies for the purpose of constructing union depots, and to authorize railway companies to own stock and bonds of such depot companies, and to regulate the issuance of bonds by such union depot companies."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, for the reason that House bill No. 115 has been reported favorably covering the same matter contained in this bill.

COLQUITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Internal Improvements, to whom was referred

Senate bill No. 99, a bill to be entitled "An act to amend article 4573, title XCIV, chapter 13, of the Revised Statutes of the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

COLQUITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Stock and Stock-raising, to whom was referred

Senate bill No. 174, a bill to be entitled "An act to prevent deception and fraud by owner or owners or agent who may have control of any stallion kept for service, by proclaiming or publishing fraudulent or false pedigrees, and to protect such owner or owners or agents in the collection of fees for the services of such stallion."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that the accompanying committee substitute do pass.

TURNEY, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Stock and Stock-raising, to whom was referred

Senate bill No. 159, a bill to be entitled "An act to provide for the registration of all illegally branded cattle in a book to be kept by the clerks of the county court in their offices for that purpose; to provide for the seizure and sale of such cattle by the sheriffs for non-compliance with this act; and to provide for the disposition of the proceeds of such sales; to provide for the examination and inspection of such cattle when about to be slaughtered or shipped; to provide for the payment of the fees of sheriffs and county clerks for the performance of their duties under this act; to define illegally branded cattle, and to make it a misdemeanor to fail to comply with the provisions of this act, and to prescribe the punishment therefor."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by striking out all the words beginning with and including "and," in line 17, on page 5, down to and including the word "situated," in line 19, on page 5.

TURNEY, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Stock and Stock-raising, to whom was referred

Senate bill No. 88, a bill to be enti-

tled "An act to amend article 5043k of the Revised Statutes of Texas, relating to the Sanitary Live Stock Commission and movement of live stock thereunder."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, for the reason that a similar bill has been passed.

TURNEY, Chairman.

Committee Room,

Austin, Texas, March 6, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 217, a bill to be entitled "An act to amend article 1381 in chapter 18 of title 30 of the Revised Civil Statutes of Texas, relating to the time of filing statements of facts,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 236, a bill to be entitled "An act to amend article 22, title 4, of the Revised Civil Statutes of the State of Texas (1895), so as to extend the terms of the district court in Orange and Jefferson counties,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 6, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 198, a bill to be entitled "An act to provide for and regulate suits for taxes by counties, cities, towns, school districts and school corporations,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills

have carefully examined and compared

Senate bill No. 152, a bill to be entitled "An act to amend the Collin, Grayson, Williamson, Lamar and Bell county road law, said law passed by the Twenty-third Legislature, by amending section 10, in regard to the payment of commissioners when acting as road commissioners,"

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Agricultural Affairs, to whom was referred

House concurrent resolution No. 7, empowering the Governor of Texas to call a cotton convention, inviting delegates from all cotton growing States, and appointing delegates from each congressional district in this State, and two delegates from the State at large.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

ROGERS, Chairman.

Committee Room,

Austin, Texas, March 5, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 225, a bill to be entitled "An act for the protection of the farmer in the purchase of commercial fertilizers, and for other purposes,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

ROGERS, Chairman.

BILLS AND RESOLUTIONS.

By Senator Greer:

Senate bill No. 270, a bill to be entitled "An act to restore and confer upon the county court of Jefferson county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State, to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with the provisions of this act in so far as it relates to Jefferson county."

Read first time and referred to Judiciary Committee No. 1.

By Senator Greer:

Senate bill No. 271, a bill to be entitled "An act to restore and confer upon the county court of Orange county the criminal jurisdiction heretofore belonging to it under the Constitution and general statutes of the State of Texas, to conform the jurisdiction of the district court to such change, and to repeal all laws in conflict with the provisions of this act in so far as they relate to Orange county."

Read first time and referred to Judiciary Committee No. 2.

By Senator Rogers:

Senate bill No. 272, a bill to be entitled "An act to amend and re-enact article 4478 of the Revised Civil Statutes of Texas."

Read first time and referred to Committee on Internal Improvements.

Call concluded.

HOUSE MESSAGES.

The following House messages were received:

Hall House of Representatives,

Austin, Texas, March 6, 1897.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 249, a bill to be entitled "An act to amend sections 1, 6, 7, 105, 105a, 105b and 105c, of an act entitled an act to amend sections 38, 103, 105, 106 and 138 of an act entitled an act to incorporate the city of Fort Worth and to grant a charter to said city, approved March 20, 1889, and sections 6, 7, 29, 34, 88 and 102 of said act, as amended by the Twenty-second Legislature in 1891, and to add thereto sections 35a, 35b, 101a, 101b, 101c, 101d, 101e, 102a, 103a, 104a, 106a, 106b, and also 105a, 105b, 105c, in reference to the board of equalization, and providing for an appeal from said board to the district court, passed by the Legislature of the State of Texas in the year 1895, and to add to said act the following sections, to-wit: 105d, 105e, 105f, 105g, 105h, 105n, 105o and 105p, and to repeal all laws and parts of laws in conflict with this act."

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

House of Representatives.

Austin, Texas, March 6, 1897.

Hon. George T. Jester, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

House bill No. 370, a bill to be entitled "An act to restore and confer upon the county court of Titus county the civil jurisdiction heretofore belonging to said county under the Constitution and General Laws of this State, and to conform the jurisdiction of the district court of said county to said change."

House bill No. 213, a bill to be entitled "An act to restore and confer upon the county court of Hardin county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act."

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

Senator Colquitt called up

Senate bill No. 52, a bill to be entitled "An act to require every express company to keep a general office in this State, and to furnish such information in relation to its property, indebtedness and business as may be required by the Railroad Commission of Texas,"

Which had passed the House with amendments, and moved that the Senate do not concur in said amendments, and that a conference committee be appointed.

Carried.

Senator Colquitt called up

Senate bill No. 36, a bill to be entitled "An act to amend article 723 of the Code of Criminal Procedure of the State of Texas, relating to the reversal of cases by the Court of Criminal Appeals."

Which had passed the House with an amendment, and moved that the Senate concur in said amendment.

Senator Beall moved as a substitute that the Senate do not concur in said amendment, and that a conference committee be appointed.

Senator Colquitt withdrew his motion to concur.

Senator Goss then moved as a substitute for Senator Beall's motion, that the Senate do concur.

Senator Beall moved to lay the substitute motion on the table.

Lost by the following vote:

Yeas—7.

Beall.	Presler.
Bowser.	Stafford.
Colquitt.	Terrell.
Dibrell.	

Nays—14.

Atlee.	Lewis.
Boren.	Linn of Victoria.
Darwin.	Rogers.
Goss.	Ross.
Gough.	Tillett.
Greer.	Turney.
Harrison.	Woods.

Absent.

Bailey.	Wayland.
Burns.	

Excused.

Kerr.	Stone.
Linn of Wharton.	Yantis.
Morriss.	Yett.
Neal.	

Action recurring on the motion (Goss') to concur,

Senator Beall moved a call of the Senate, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Harrison.
Bailey.	Lewis.
Beall.	Linn of Victoria.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Woods.
Greer.	

Excused.

Kerr.	Stone.
Linn of Wharton.	Yantis.
Morriss.	Yett.
Neal.	

Absent.

Wayland.

Senator Woods moved to excuse the absentee.

Senator Beall moved to lay that motion on the table.

Lost by the following vote:

Yeas—8.

Beall.	Presler.
Bowser.	Ross.
Colquitt.	Stafford.
Dibrell.	Terrell.

Nays—15.

Atlee.	Harrison.
Bailey.	Lewis.
Boren.	Linn of Victoria.
Burns.	Rogers.
Darwin.	Tillett.
Goss.	Turney.
Gough.	Woods.
Greer.	

Absent.

Wayland.

Excused.

Kerr. Stone.
Linn of Wharton. Yantis.
Morris. Yett.
Neal.

The absentee was then excused by the following vote:

Yeas—16.

Atlee. Harrison.
Bailey. Lewis.
Boren. Linn of Victoria.
Burns. Rogers.
Darwin. Ross.
Goss. Tillett.
Gough. Turney.
Greer. Woods.

Nays—7.

Beall. Presler.
Bowser. Stafford.
Colquitt. Terrell.
Dibrell.

Absent.

Wayland.

Excused.

Kerr. Stone.
Linn of Wharton. Yantis.
Morris. Yett.
Neal.

Senator Beall moved to postpone further consideration of the bill until Monday, after the special orders for the day.

Lost by the following vote:

Yeas—8.

Beall. Gough.
Bowser. Presler.
Colquitt. Stafford.
Dibrell. Terrell.

Nays—15.

Atlee. Lewis.
Bailey. Linn of Victoria.
Boren. Rogers.
Burns. Ross.
Darwin. Tillett.
Goss. Turney.
Greer. Woods.
Harrison.

Excused.

Kerr. Stone.
Linn of Wharton. Wayland.
Morris. Yantis.
Neal. Yett.

Senator Turney moved the previous question on the motion to non-concur and the substitute therefor, which was duly seconded and prevailed, and pending action,

Senator Beall moved that the Senate adjourn to 10 a. m. Monday.

Lost by the following vote:

Yeas—7.

Beall. Presler.
Bowser. Stafford.
Colquitt. Terrell.
Dibrell.

Nays—16.

Atlee. Harrison.
Bailey. Lewis.
Boren. Linn of Victoria.
Burns. Rogers.
Darwin. Ross.
Goss. Tillett.
Gough. Turney.
Greer. Woods.

Excused.

Kerr. Stone.
Linn of Wharton. Wayland.
Morris. Yantis.
Neal. Yett.

Senator Beall moved to reconsider the vote by which the previous question was ordered.

No quorum, the following Senators voting:

Yeas—4.

Beall. Dibrell.
Colquitt. Gough.

Nays—15.

Atlee. Lewis.
Bailey. Linn of Victoria.
Boren. Rogers.
Burns. Ross.
Darwin. Tillett.
Goss. Turney.
Greer. Woods.
Harrison.

Absent.

Bowser. Stafford.
Presler. Terrell.

Excused.

Kerr. Stone.
Linn of Wharton. Wayland.
Morris. Yantis.
Neal. Yett.

Senator Turney moved a call of the Senate, which was ordered, the following Senators answering to their names:

Atlee. Greer.
Bailey. Harrison.
Boren. Lewis.
Beall. Linn of Victoria.
Burns. Presler.
Colquitt. Rogers.
Darwin. Ross.
Dibrell. Tillett.
Goss. Turney.
Gough. Woods.

Absent.

Bowser. Terrell.
Stafford.

Excused.

Kerr.	Stone.
Linn of Wharton.	Wayland.
Morriss.	Yantis.
Neal.	Yett.

On motion of Senator Lewis, process was issued for the Senators absent and not excused, the same being placed in the hands of the Sergeant-at-Arms, with instructions to bring in the absentees.

Senator Terrell was announced.

Senator Colquitt moved to reconsider the vote by which process for absentees was ordered and issued.

Carried.

Action recurring on the motion (Beall's) to reconsider the vote by which the previous question was ordered,

Lost by the following vote:

Yeas—5.

Beall.	Gough.
Colquitt.	Terrell.
Dibrell.	

Nays—16.

Atlee.	Lewis.
Bailey.	Linn of Victoria.
Boren.	Presler.
Burns.	Rogers.
Darwin.	Ross.
Goss.	Tillett.
Greer.	Turney.
Harrison.	Woods.

Absent.

Bowser.	Stafford.
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Excused.

Kerr.	Stone.
Linn of Wharton.	Wayland.
Morriss.	Yantis.
Neal.	Yett.

The substitute motion (Goss') to concur in House amendment then prevailed.

(Senator Dibrell requested to be recorded voting nay on concurrence.)

On motion of Senator Woods, the regular order of business was suspended to take up on its second reading,

Senate bill No. 171, a bill to be entitled "An act to amend article 3582a, title LXXVa, of the Revised Civil Statutes, in regard to the Board of Pardon Advisers."

Bill read second time.

(Senator Lewis in the chair.)

By Senator Woods:

Amend by adding after section 2 the following:

"Section 3. The importance of the legislation proposed in this bill, and

the crowded condition of the calendar, and the near approach of the close of the session creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

Bill ordered engrossed.

Senator Woods moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be put upon its third reading and final passage.

Lost by the following vote (requiring four-fifths vote):

Yeas—16.

Atlee.	Greer.
Bailey.	Lewis.
Beall.	Linn of Victoria.
Burns.	Presler.
Colquitt.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Woods.

Nays—5.

Boren.	Rogers.
Darwin.	Ross.
Harrison.	

Absent.

Bowser.	Stafford.
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Excused.

Kerr.	Stone.
Linn of Wharton.	Wayland.
Morriss.	Yantis.
Neal.	Yett.

(Lieutenant Governor Jester in the chair.)

On motion of Senator Atlee, the regular order of business was suspended to take up on its second reading,

Senate bill No. 248, a bill to be entitled "An act to authorize and permit the Aransas Pass Harbor Company to purchase from the State of Texas Harbor Island, certain shoal waters and flats in front thereof and in Redfish Bay, on the gulf coast of Texas, in order to encourage the procuring and maintenance of deep water at Aransas Pass."

Bill read second time.

By Senator Atlee:

Amend section 5 to read:

"Section 5. The sale of lands herein in authorized and the rights herein granted shall be coupled with the following conditions: That all navigable channels constructed by said company shall ever remain open and free to all vessels without fee or charge;

the tolls and charges for the use of docks and wharves constructed on any portion of said land shall be equal, just and uniform to all vessels, persons in handling same, and all such tolls and charges shall be under the control of the Legislature of the State of Texas, and until otherwise directed by the Legislature, shall be subject to control and regulation by the Railroad Commission of Texas under the rules prescribed for the regulation of railroads, so far as applicable; and any railroad or other means of transportation which may be constructed between the mainland and said wharves and docks or deep water channels shall be a public highway, and all rates and charges for the transportation of freights and passengers thereon shall be subject to the control and regulation of the Railroad Commission as a railroad; such railroad or other means of transportation shall receive from each and every ship, boat and vessel or from the wharf on which the same is discharged all freights and passengers and transfer and deliver them to the consignee or any connecting line of railroad, without discrimination as to charges or delay in transportation and delivery, and shall in like manner receive from every person and from every connecting line of railroad all freights and passengers and transport and deliver the same to each and every ship, boat, vessel, person or corporation for delivery to such ship, boat or vessel on like, equal and just terms, without discrimination as to charges and delay in transportation or delivery thereof."

Adopted.

By Senator Atlee:

Amend by adding to the bill the following:

"Section 7. The great importance of continuing the work for deep water at Aransas Pass, and the necessity of securing at the earliest possible day, and the fact of the vast amount of business before this session of the Legislature and the length of the session being limited, creates an imperative necessity and an emergency which demands that the constitutional rule, requiring bills to be read on three several days, be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Adopted.

By Senator Lewis:

Amend the caption by adding thereto the following: "And prescribing

certain conditions attaching to and following said purchase."

Adopted.

By Senator Lewis:

Amend by striking out in line 32, page 4, and in line 1, page 5, the words "and declared to be necessary for the purchase of a State quarantine station."

Adopted.

By Senator Lewis:

"Provided, that the application to purchase the lands herein permitted to be purchased, and the first payment of one-fifth of the purchase price thereof shall be made not later than two years after a depth of twenty feet has been obtained, as shown by the certificate of the engineers herein provided for."

Adopted.

By Senator Dibrell:

Amend by striking out in line 20, section 1, all after the word "channel" down to and including the word "counties," in line 24 of said section.

Adopted.

By Senator Lewis:

Amend line 14 of page 5 by striking out all after the word "corner," down to and including the word "company," in line 17, and insert in lieu thereof the following: "Provided, however, that if said described property is abandoned by the State as a quarantine station, and hereafter put upon the market for sale or lease by the State, said Harbor Company shall have the preference right to buy or lease same at the price that may be put thereon by the State; provided, however, that such preference shall continue for ninety days only after the time said property is put on the market by the State for such sale or lease."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—20.

Atlee.	Harrison.
Bailey.	Lewis.
Beall.	Linn of Victoria.
Boren.	Presler.
Burns.	Rogers.
Colquitt.	Ross.
Dibrell.	Terrell.
Goss.	Tillett.
Gough.	Turney.
Greer.	Woods.

Nays—1.

Darwin.

Absent.

Bowser. Stafford.

Excused.

Kerr. Stone.

Linn of Wharton. Wayland.

Morriss. Yantis.

Neal. Yett.

Bill read third time, and passed by the following vote:

Yeas—18.

Atlee. Greer.

Bailey. Lewis.

Beall. Linn of Victoria.

Boren. Presler.

Burns. Rogers.

Colquitt. Terrell.

Dibrell. Tillett.

Goss. Turney.

Gough. Woods.

Nays—3.

Darwin. Ross.

Harrison.

Absent.

Bowser. Stafford.

Excused.

Kerr. Stone.

Linn of Wharton. Wayland.

Morriss. Yantis.

Neal. Yett.

On motion of Senator Colquitt, regular order of business was suspended to take up, upon its third reading,

Senate bill No. 77, a bill to be entitled "An act to amend article 119 of title 9, chapter 1 of the Revised Civil Statutes, relating to the admission of idiots and epileptics to the insane asylums of this State."

Bill read third time.

By Senator Tillett:

Amend by striking out "or epileptics" in line 13.

Lost by following vote (requiring two-thirds):

Yeas—13.

Bailey. Greer.

Beall. Lewis.

Boren. Linn of Victoria.

Darwin. Presler.

Dibrell. Tillett.

Goss. Turney.

Gough.

Nays—8.

Atlee. Rogers.

Burns. Ross.

Colquitt. Terrell.

Harrison. Woods.

Absent.

Bowser. Wayland.

Stafford.

Excused.

Kerr. Stone.

Linn of Wharton. Yantis.

Morriss. Yett.

Neal.

The bill was then passed.

On motion of Senator Colquitt, Senator Wayland was excused for the remainder of the day, on account of important business.

On motion of Senator Tillett, the regular order of business was suspended, to take up on its second reading,

Senate bill No. 251, a bill to be entitled "An act to prohibit in certain cases the gathering of pecan nuts, and the cutting, injuring or destroying of pecan trees, and prescribing penalties therefor."

Bill read second time.

By Senator Tillett:

Amend by adding after the word "upon," line 11, page 1, the word "enclosed," and insert "\$5" in lieu of "\$25," in line 17.

Adopted.

The bill was ordered engrossed.

The Chair announced the following conference committees:

Conference committee on

House bill No. 13, a bill to be entitled "An act to validate certain illegal sales of public school, university and asylum lands sold under section 22, chapter 99, of the Acts of 1887, and the amendments thereto, sold as isolated and detached lands, which were not in fact isolated and detached,"

Senators Rogers, Beall, Dibrell, Goss and Lewis.

Free conference committee on

House bill No. 65, a bill to be entitled "An act to define and punish the offense of wilfully or maliciously throwing missiles or firing guns or other firearms at or into moving trains on railroads or any railway depot, private residence, schoolhouse, churchhouse, courthouse, storehouse, hotel or other public or private building, sailboat or steamboat in this State,"

Senators Gough, Stafford, Darwin, Terrell and Colquitt.

Conference committee on

Senate bill No. 52, a bill to be entitled "An act to require every express company to keep a general office in this State, and to furnish such information in relation to its property, indebtedness and business as may be re-

quired by the Railroad Commission of Texas."

Senators Colquitt, Burns, Beall, Terrell and Woods.

On motion of Senator Colquitt, the Senate adjourned to 10 a. m. Monday.

FORTY-SECOND DAY.

Senate Chamber,
Austin, Tex., Monday, March 8.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Beall.	Linn of Victoria.
Boren.	Presler.
Bowser.	Rogers.
Burns.	Ross.
Colquitt.	Stafford.
Darwin.	Terrell.
Dibrell.	Tillett.
Goss.	Turney.
Gough.	Wayland.
Greer.	Woods.
Harrison.	Yantis.
Kerr.	Yett.

Absent.

Bailey.	Neal.
Linn of Wharton.	Stone.
Morriss.	

Prayer by the Chaplain, Rev. F. S. Jackson.

Pending the reading of the Journal of Saturday,

On motion of Senator Kerr, the same was dispensed with.

On motion of Senator Woods, Page Vaughn Bell was excused for the week to visit his mother.

On motion of Senator Stafford,

Senator Neal was excused for to-day, Tuesday and Wednesday, on account of important business (on the committee to visit State institutions).

On motion of Senator Ross,

Senator Bailey was excused for to-day and to-morrow, on account of important business.

On motion of Senator Bowser,

Doorkeeper John W. Dale was excused for to-day, Tuesday and Wednesday, on account of sickness in his family.

On motion of Senator Rogers,

Senator Morriss was excused indefinitely on account of sickness.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 153, a bill to be entitled "An act to amend article 271 of chapter 6, title 8, of the Penal Code of the State of Texas, adopted in 1895, relating to the approval of official bonds, and to repeal all laws and parts of laws in conflict with the same."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,
Austin, Texas, March 8, 1897.

Hon. Geo. T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 171, a bill to be entitled "An act to amend article 3582a, title LXXVa, of the Revised Civil Statutes, in regard to the Board of Pardon Advisers."

And find the same correctly engrossed.

BOREN, Acting Chairman.

Committee Room,
Austin, Texas, March 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 58, a bill to be entitled "An act to amend article 3982, Statutes of Texas, adopted at the regular session of the Twenty-fourth Legislature, relating to the transfer of children in district schools."

And find the same correctly engrossed.

BOREN, Acting Chairman.

BILLS AND RESOLUTIONS.

By Senator Stafford (by request):

Senate bill No. 273, a bill to be entitled "An act to regulate chattel mortgages and trust deeds executed by an insolvent debtor for the purpose of procuring preferred creditors, and to punish fraudulent debtors and fraudulent preferred creditors."

Read first time and referred to Judiciary Committee No. 2.